

PCT COOPERATION TREATY

CORRECTED EDITION

PCT

Rec'd PCT/PTO 29 APR 2005

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference 489060 AXH	FOR FURTHER ACTION see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.	
International application No. PCT/NZ2003/000244	International filing date (day/month/year) 31 October 2003	(Earliest) Priority Date (day/month/year) 1 November 2002
Applicant Fisher & Paykel Healthcare Limited (et al.)		

This international search report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This international search report consists of a total of 5 sheets.

☐ It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

a. With regard to the language, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

b. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international search was carried out on the basis of the sequence listing:

☐ contained in the international application in written form.

☐ filed together with the international application in computer readable form.

☐ furnished subsequently to this Authority in written form.

☐ furnished subsequently to this Authority in computer readable form.

☐ the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

☐ the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

2. ☐ Certain claims were found unsearchable (See Box I).

3. ☐ Unity of invention is lacking (See Box II).

4. With regard to the title, ☒ the text is approved as submitted by the applicant.

☐ the text has been established by this Authority to read as follows:

5. With regard to the abstract, ☐ the text is approved as submitted by the applicant

☒ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the drawings to be published with the abstract is Figure No. 1

☒ as suggested by the applicant.

☐ None of the figures

☐ because the applicant failed to suggest a figure

☐ because this figure better characterizes the invention

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Intern application No.

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Box III TEXT OF THE ABSTRACT (Continuation of item 5 of the first sheet)

The present invention provides improvements in the feedback and control systems employed in the field of ventilation therapy. In particular, a system for delivering a supply of gases to a patient is described which incorporates a detachable cartridge or open tubular section (22) used to house a mechanism (11) which senses the humidity, temperature, flow and other attributes of the flowing gas. Information obtained from the sensor may be used to provide feedback to a controller (9) which controls the humidification mechanism in order to provide optimally humidified gases to a patient (1). It will be appreciated that the feedback and control systems as described in the preferred embodiment of the present invention can be used in respiratory care generally or with ventilator.

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International application No.

PCT/NZ2003/000244

A. CLASSIFICATION OF SUBJECT MATTER

Int. Cl. ⁷: A61M 16/16

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

SEE ELECTRONIC DATABASES CONSULTED

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)
DWPI: lim, humid, water, vapor, vapour, sens, transduc, probe, detect, feedback, control, remov, decouple, detach, releas, disengag, A61M 16/ - A62B

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 6102037 (Koch) 15 August 2000 Abstract, Fig. 1, column 3 line 26 - column 12 line 65	1-25
X	US 6050260 (DANIELL) 18 April 2000 Abstract, Fig. 1,2, column 3 line 40 - column 7 line 24.	1-25
X	JP 09-234247 (NIKKISO Y S I K K) 9 September 1997 Abstract, Fig. 1.	1-25

☒ Further documents are listed in the continuation of Box C☒ See patent family annex

- * Special categories of cited documents:
- "A" document defining the general state of the art which is not considered to be of particular relevance
- "E" earlier application or patent but published on or after the international filing date
- "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- "O" document referring to an oral disclosure, use, exhibition or other means
- "P" document published prior to the international filing date but later than the priority date claimed

- "T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- "X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- "Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art
- "&" document member of the same patent family

Date of the actual completion of the international search
17 February 2004

Date of mailing of the international search report 23 FEB 2004

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INTERNATIONAL SEARCH REPORT

C (Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	GB 2297914 A (SMITHS INDUSTRIES PUBLIC LIMITED COMPANY) 21 August 1996 Abstract, Fig. 1, page 1 line 13 - page 3 line 17	1-25
X	AU 14863/95 A (FISHER & PAYKEL LIMITED) 21 September 1995 Abstract, Fig. 1-3B, page 1 line 19 - page 4 line 27.	1-25
P,X	EP 1329240 A1 ((FISHER & PAYKEL LIMITED) 23 July 2003 Abstract, Fig 1-6, page 2 line 46 - page 15 line 24.	1-25
P,X	WO 2003/018096 A1 (MAP MEDIZIN-TECHNOLOGIE GMBH) 6 March 2003 Abstract, Fig. 1,2, page 1 line 3 - page 12 line 21.	1-25
X	US 2002/0100320 A1 (SMITH) 1 August 2002 Abstract, Fig.1-6, page 1 paragraph [0006] - page 4 paragraph [0064].	1-25

PCT/IN2003/000244

Information on patent family members

This Annex lists the known "A" publication level patent family members relating to the patent documents cited in the above-mentioned international search report. The Australian Patent Office is in no way liable for these particulars which are merely given for the purpose of information.

Patent Document Cited in Search Report				Patent Family Member			
US	6102037	DE	19808590A1				
US	6050260A	AU	723650B2	AU	4678897A	CA	2222830A1
		DE	69726245D	EP	0845277	JP	10179746A
		EP	0845277				
JP	9234247	NO	FAMILY				
GB	2297914A	AU	702011B2	AU	4201296A	DE	19602077A1
		FR	2730640A1	GB	2297914A	GB	9503012D
		JP	8257126A	US	5769071A		
AU	A14863/95	DE	19508803A1	FR	2717395A1	JP	8038603A
EP	1329240A1	AU	729862	AU	7195098	CA	2240812
			NUMEROS		MEMBERS	TOO	MANY TO
			FAMILY				INCLUDE
WO	03/018096A1	DE	10139881A1				

END OF ANNEX